

- 4 -

## REMARKS

The present response is to the Office Action mailed in the above-referenced case on August 31, 2004. Claims 16, 18, 19 and 21 were presented for examination. The Examiner rejected claims 16, 18, 19 and 21 under 35 U.S.C. 102(e) as being anticipated by Foladare et al, (US 5,978,837) hereinafter Foladare. Claims 16, 18, 19 and 21 are also rejected under 35 U.S.C. 102(e) as being anticipated by Moon et al., (US 6,138,146) hereinafter Moon.

Applicant has carefully studied the prior art reference cited and applied by the Examiner, and the Examiner's rejections and statements of the instant Office Action. In response to the Examiner's above merit rejections, applicant herein amends the claims to more particularly point out and distinctly claim the subject matter of applicant's invention regarded as patentable. Applicant provides valid arguments clearly distinguishing the present claims, as amended, over the prior art provided by the Examiner.

Applicant herein amends claims 16 and 19 to positively recite a database at the email server for storing user preferences used by the email server for processing emails, wherein, the playback unit is enabled to edit the user preferences via direct communication from the playback unit to the email server.

Foladare fairly teaches a system for receiving an alert and/or email summary from an email server (via paging system) at a mobile pager. The mobile pager directs the server to forward the email to a provided destination address.

Applicant argues that Foladare teaches a system wherein the forwarding information is stored at the computer 70, or in the mobile pager (col. 1, lines 46-48; col. 2, lines 10-12). There is no facility in the art of Foladare for storing user preferences in a database at the email server, wherein the mobile pager accesses and edits said preferences, as claimed.

- 5 -

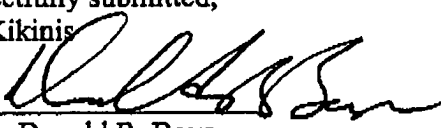
The art of Moon teaches a system enabling a remote communicator to receive emails forwarded from an email forwarding program resident on a fixed computer 20 connected to a private network. Moon specifically teaches that the email forwarding program resides on the fixed computer and can only be edited from the fixed computer (col. 6, lines 3-8). Applicant argues that the art of Moon fails to teach a remote communicator capable of accessing and editing stored user preferences at the email processing facility.

As argued above, the references of Foladare and Moon fail to specifically teach all of the limitations of applicant's independent claims 16 and 19, as amended to recite the new limitations argued above by applicant, and therefore fail as a primary references for the prima facie rejection. Claims 16 and 19 are therefore now clearly and unarguably patentable over the references of Moon and Foladare. Depending claims 18 and 21 are patentable on their own merits, or at least as depended from a patentable claim.

As all of the claims standing for examination have been shown to be patentable as amended over the art of record, applicant respectfully requests reconsideration, and that the present case be passed quickly to issue. If there are any time extensions needed beyond any extension specifically requested with this amendment, such extension of time is hereby requested. If there are any fees due beyond any fees paid with this amendment, authorization is given to deduct such fees from deposit account 50-0534.

Respectfully submitted,  
Dan Kikinis

by

  
Donald R. Boys  
Reg. No. 35,074

Donald R. Boys  
Central Coast Patent Agency, Inc.  
P.O. Box 187  
Aromas, CA 95004  
(831) 726-1457